Remarks

The present response is to the Office Action mailed in the above referenced case on July 25, 2007. Claims 1, 3-14, 16-28 and 30-33 are standing for examination.

Response to Arguments

The Examiner has kindly provided a "Response to Arguments" portion of the present Office Action withdrawing the original 35 USC § 102 rejection. However, upon further consideration, new grounds of rejection are made on the amended claims in view of additional prior art and are presented below.

Claim Objections

10. Claims 3-13 are objected to because of the following informalities: the Examiner notices that dependent claims 16-27 are identified as system claims, but claims 3-13 are not. The Examiner believes the original intention of claims 3-13 was for these to be product claims. Assuming Applicant's intention is to make claim 1 a system claim, the Applicant may wish to be consistent with their other claims. Appropriate correction is required.

Applicant's response

Applicant is clear that claims 1 and 3-13 are claims for a portfolio tracking module, claims 14 and 16-27 are for a system and claims 28 and 30-33 are for a method.

Rejections -35 USC 101

11. Claims 1, and 3-13 are rejected under 35 U.S.C. 101 because the claimed invention is directed to non-statutory subject matter. In claim 1, data presented for viewing is considered a disembodied data structure if there is no link, for example, to a system. Without a link, the viewing area is unable to cause a change, and is therefore nonfunctional (MPEP 2016.01 I).

Claims 3-13 are rejected because they depend from claim 1.

Applicant's response

Applicant points out that claim1, as amended, now recites a software suite operating on a computerized device wherein a user working from within the module interacts with selected ones of interactive links invoking a variety of secondary interfaces containing more detailed information aggregated from the aggregated data about registered investments, financial accounts, and performance data about stocks and the aggregated data is sourced at least in part from the financial information gathered by the proxy server.

Applicant argues that there is a link from the main interface to secondary interfaces which constitutes a "change" as required. Therefore, the claim includes statutory subject matter.

Merit Rejection under 35 USC 103

Examiner's rejection

14. Claims 1, 3-14, 16-28, and 30-33 are rejected under 35 U.S.C. 103(a) as being unpatentable over U.S. Patent 7,165,044 to Chaffee in view of U.S. Patent 6,859,878 to Kerr et al., and in further view of Official Notice.

The prior rejection regarding Chaffee is presented below, with added material presented in bold.

15. Regarding applicant claims 1, 3-5, 12, 14, 17, 18, 25, 26, 28, and 31, Chaffee discloses:

a. A computer based "... investment tracking system that is able to retrieve transaction data from a plurality of different accounts to generate a single financial report that is

representative of the collective performance of all of the different accounts." (col. 2, lines 51-55) It is possible to view and edit (manipulate) data (col. 5, lines 27-29 and 50-51). This is available through a computer connected to a remote server, which can be linked to the Internet (which is a data-packet-network) (col. 4, lines 19-27 and Fig. 1);

b. A "general information" web page (col. 5, lines 15-17 and Fig. 4) that can be accessed via a hyperlink from a "home page" (cot. 4, lines 48-59 and Fig. 2);

c. A "portfolio summary" page (col. 5, lines 27-32 and Fig. 8), that can be accessed via a menu (col. 5, lines 27-29) and hyperlink from the general information web page (col. 5, lines 15-17 and Fig. 4);

d. A "portfolio summary" page (cot. 5, lines 32-35 and Fig. 8) from which individual investment accounts can be linked (col. 6, lines 60-65) and reports (views of account and stock detail) obtained from a drop down menu (cot. 8, lines 33-37). Reports are auditable, which could then be used for data tracking (col. 6, lines 65-67);

e. Portfolios (and their accounts) selected to be tracked are listed and can be selected individually or as "ALL" (Fig. 4, Ref. 126);

f. A hyperlink from the "general information" web page to a "portfolio add" web page to add new investment accounts (col. 5, lines 36-37 and Figs. 4 and 5). Presumably, a spouses account could also be accessed and combined in a portfolio for shared stock information;

g. Access to financial institution databases (cot. 4, lines 13-18) through a remote server, which acts as an investment portfolio tracking system (col. 3, lines 63- 66 and Fig. 1), via the Internet (col. 2, lines 56-62). Financial institutions include brokerage houses,

investment banks, on-line brokers, etc., which would therefore be available to the public (col. 4, lines 4-7);

h. An intranet or local server network for users, which can be linked to a remote server (col. 4, lines 22-27 and col. 11, lines 52-56) investment portfolio tracking system.

While Chaffee, in the business of accessing sites using the Internet, retrieves financial data automatically from financial institutions, he does not disclose accessing Web sites Kerr et al, in the same field of endeavor of accessing sites using the Internet, discloses:

"It would therefore be desirable to provide an internet accessible-database- which allows a user to store userids and passwords for various other Internet sites. It would be a further advantage to provide an integration of the database with other internet sites, so that the user can connect with those sites without having to remember specific userids and passwords for each of the sites." (col. 1, lines 57-63);

"According to the preferred embodiment, an improved system, method, and program is provided to manage user id/password combinations by utilizing a universally accessible Internet location. This site stores and manages an encrypted database containing the customers multiple user id and password combinations, and also acts as the repository and distribution center for the software used to access and manage the database by the customer." (col. 1, lines 64-67 and col. 2, lines 1-4); "According to the preferred embodiment, however, the information is automatically sent to the URL selected by the user. This embodiment is preferred because it abstracts the user's authentication data to a particular site by creating automatic authentication responses to recognized URL's." (col. 3, lines 60-64).

Therefore, it would have been obvious to one of ordinary skill in the art at the time of invention to provide for access to different sources of information using a web site

interface, motivated by Kerr et al., and that this would provide an additional method of acquiring data automatically from financial institutions and could avoid requiring pro-arranged agreements or fee requirements for data access.

While Chaffee and Kerr et al., as combined above, provide for data access to different sites using servers, they do not disclose a proxy server or parsing data from a web site. However, the Examiner takes Official Notice that proxy servers and parsing information to retrieve data is old and well known. Therefore, it would have been obvious to one skilled in the art at the time of invention to include proxy servers and parsing of web site data and that the proxy server would improve system performance and parsing data would permit, for example, collection of financial data from a web site for analysis.

Applicant's response
Applicant herein amends claims 1, 14 and 28 to specifically recite that a proxy server provides automatic navigation to Web pages provided by financial institutions for users to log-in and access their stock and investment accounts at the institutions, the software accessing the user's accounts by logging in with the user's password and user name, as if the user, accessing financial information held in the accounts and manipulating the accounts, as if the user; and the aggregated data is sourced at least in part from the financial information gathered by the proxy server.

Applicant's invention is absolutely unique in that the software and system actually do the navigation and manual work usually required by an account holder to access his/her information from financial institutions providing Web site access to end user account holders. In applicant's invention the system accesses accounts owned by individual users at financial institutions via the exact same data path the user would use to access his/her account, which is the user's account log-in and access page provided by the financial institution. With this unique system there is no requirement for an information gathering system to negotiate a data access link other than what the firm already offers its

customers. There is no need for the system to prearrange communication links with databases belonging to financial institutions, specific commands to receive data, specific data ordering methods, or anything of the sort. Applicant's system accesses the financial information via a Web page using already established user identification and passwords. In this manner the financial institutions are unaware that an automated system is accessing the user's financial information and not the user him/her self. (pages 31-34; page 75, lines 15-22)

The Examiner provides Chaffee to teach an ability to assemble portfolio information received from databases of financial institutions providing a pre-arranged, direct link between the system of Chaffee and the database. The Examiner admits Chaffee fails to accessing Web sites. The Examiner relies upon the art of Kerr to teach accessing Web sites using the Internet.

Applicant argues Kerr teaches a system for managing a data file of user names and passwords for users, wherein the system matches selected URLs from a user while browsing and sends the associated name and password to the user's browser for log-in purposes. Applicant argues that Kerr does not access Web sites, the user manually navigates to the Web site with a URL and the system of Kerr merely matches the URL with name and password for the user. Therefore, the system of Kerr actually does not access the Web site, as stated by the Examiner, the user does. Kerr teaches the following:

"Hereafter, whenever the user accesses a new-Uniform Resource Locator address (URL) (step 316), the plug-in automatically searches for a record in the User Data that corresponds to that URL (step 318). If the URL is found, the plug-in validates the corresponding User Data (step 320) then uses the information in the User Data to automatically login to that URL based on the Log-In data-stored in the User Data (step 322). If an automatic login is unsupported by that

particular URL site, the login data from the User Data will be stored into a "clipboard" memory on the user's system for easy access. (col. 4, 57-67)"

Further the Examiner takes "Official Notice" that proxy servers and parsing information to retrieve data is old and well known. Therefore, it would have been obvious to one skilled in the art at the time of invention to include proxy servers and parsing of web site data and that the proxy server would improve system performance and parsing data would permit, for example, collection of financial data from a web site for analysis.

Applicant argues that it is not well known I the art to provide a proxy server providing automatic navigation to the Web pages for users to log-in and access their stock and investment accounts at the institutions, the software accessing the user's accounts by logging in with the user's password and user name, as if the user, accessing financial information held in the accounts and manipulating the accounts, as if the user, is not known in the art. Applicant respectfully requests the Examiner provide valid art to teach said limitation.

Applicant believes claims 1, 14 and 28, as amended, are patentable over the art and the Examiner's "Official Notice". Dependent claims 3-13, 16-27 and 30-33 are patentable on their own merits, or at least as depended from a patentable claim.

As all of the claims have been shown to be patentable over the art of record, applicant respectfully requests reconsideration, and that the present case be passed quickly to issue. If there are any time extensions needed beyond any extension specifically requested with this response, such extension of time is hereby requested. If there are any fees due beyond any fees paid with this amendment, authorization is given to deduct such fees from deposit account 50-0534.

Respectfully Submitted,
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